Serving Small Businesses and the Environment

A Report for the Compliance Advisory Panel - 2005

The Compliance and Technical Assistance Program (CTAP) is Indiana's Small Business Assistance Program (SBAP), operating under Section 507 of the Federal Clean Air Act, U.S. Code 7611f, and Indiana Code (IC) 13-28-5-4. The CTAP is statutorily authorized to operate under IC 13-28-1 (Office of Voluntary Compliance) and IC 13-28-3 (SBAP). Under these statutes, the CTAP is required to have a small business ombudsman and develop a clearinghouse of environmental resources.

CTAP provides confidential, environmental assistance to Indiana businesses, universities and municipalities and proactively works with other programs within the Indiana Department of Environmental Management (IDEM), governmental entities, and regulated entities to provide regulatory and technical outreach and assistance. In order to effectively provide the type of assistance needed by the regulated community, strict confidentiality is maintained. Outreach efforts include educational workshops and confidential site visits. CTAP also provides confidential phone assistance, and develops recognition programs, compliance assistance manuals, fact sheets, and web-based information.

CTAP's latest web-based tool is the Permit Wizard. Using a series of question-and-answer pages, the Permit Wizard provides customized information to the regulated community, allowing them to determine which environmental permits are necessary to start and operate a business. Results obtained through the Permit Wizard represent a starting point; they do not substitute for consultation with the appropriate regulatory agency and/or the appropriate rules or statute.

Over the next two years, CTAP will focus assistance on marketing its programs to increase the quantity of assistance provided, as well as the quality of assistance. CTAP is currently in the process of finalizing its Quality Assistance Guarantee. As the name suggests, the Quality Assurance Guarantee will assure regulated entities that follow CTAP's recommendations are not later penalized if the recommendations were erroneous. We are also participating as a national Small Business Assistance Program "Mentor State". As a Mentor State, we are sharing information regarding our program with other states and assisting other states with creation or expansion of their programs. Indiana was one of the first states to have a multi-media program and the only one with confidentiality. We will be sharing lessons learned and our successes.

CTAP has also assumed responsibility for the Permit Reviewer of the Day Program (PROD), formerly housed in IDEM's Office of Air Quality. PROD provides regulatory assistance regarding our air regulations. CTAP currently has two full-time staff dedicated to this program. Staff members responsible for PROD will also assist the regulated community in complying with several new National Emission Standards for Hazardous Air Pollutants (NESHAP) regulations.

CTAP staff is also implementing Indiana's Comprehensive Local Environmental Action Network (CLEAN) Community Challenge. CLEAN is a voluntary recognition program for local Indiana government. The program helps communities take steps to plan, develop, and implement a quality of life plan. A quality of life plan for municipalities is equivalent to an Environmental Management System (EMS) for businesses. This plan includes gathering input and support from the community and local businesses. The Indiana CLEAN Community Challenge is administered by the Indiana Department of Environmental Management, in partnership with five other state agencies.

Mercury is another area in which CTAP staff is working. IDEM's Streamlined Mercury Variance (SMV) Rule is designed to assist Publicly Owned Treatment Plants (POTWs), as they are currently facing increased regulatory attention for levels of mercury in the wastewater they treat and ultimately discharge into Indiana waters. Treatment plants throughout the state need the cooperation of business, industry and citizens to minimize the amount of mercury escaping down the drain.

Through a federal grant to IDEM, CTAP staff has developed educational outreach materials designed to provide a POTW with technical expertise in pollution prevention and source reduction opportunities so they may effectively assist their own regulated entities in reducing the quantity of mercury released to the environment. Mercury outreach materials are available for the following sectors: dentists, colleges and universities, health care facilities and general industry.

CTAP continues to assist specific industry sectors to include a focus on drycleaners, vehicle maintenance, collision repair, printers, child care facilities, fiber reinforced plastic, wood finishing and auto salvage. A variety of compliance assistance tools are used for each sector and may include a compliance manual, a voluntary recognition program, phone assistance and on-site assistance.

CTAP Small Business Assistance Contacts

The table and graph below show significant progress in reaching and assisting Indiana units of government, businesses and citizens. Since 1996, assistance efforts continue to increase. For 2005, the upward trend of total contacts will continue if projections of the figures from January through September actually occur in the final quarter, which is anticipated. Although the number of phone assistance efforts and on-site visits show a slight decrease from 2003 – 2004, the number of "hits" to the CTAP home pages (**www.IN.gov/idem/ctap** and **www.IN.gov/idem/ctap/........**) increased.

The CTAP tracking system documents assistance efforts based on the manner in which customers are assisted. Categories include telephone assistance; seminars/workshops; on-site visits; and CTAP home page and Web site hits.

According to Table 1, telephone assistance comprised the majority of our assistance efforts. Also, compared to last year's figures, 2005 projections based on an additional quarter show a significant increase. The jump in CTAP web hits for 2003 and 2004 are primarily due to IDEM's efforts to get publications on the web and in the proper format.

**Table 1: 9.75 Year History of CTAP Small Business Assistance Contacts**

Contact Type	1996	1997	1998	1999	2000	2001	2002	2003	2004	#2005
Phone Assistance	2,254	3,200	2,770	2,785	2,972	2,990	3,122	2,896	2,419	2,753
On-Site Visits	411	138	155	245	296	521	913	935	909	750
Seminars/Workshops	80	565	764	1,491	2,485	2,956	2,002	3,714	161	88
CTAP Home Page Hits *	1,318	600	1,574	3,691	6,313	8,365	10,566	13,968	30,615	40,273
CTAP Web Site Hits/OPPTA								105,800	194,387	271,662
Total Contacts Made #	4,063	4,503	5,263	8,212	12,066	14,832	16,603	127,313	228,491	315,526

*# Covers **only** the first three quarters of 2004 (January – September)*

** **These figures represent hits only to the CTAP home page (www.in.gov/idem/ctap). Beginning with 2003, we will also include total hits to all CTAP Web pages (e.g., www.in.gov/idem/ctap/mercury/)**. The figures in "Total Contacts Made" **for 2003 - 2005 are much larger than in previous years because they were calculated using the figure from the "CTAP Web Site Hits" column for Web hits.***

NOTE: The shaded columns show the contacts made after implementing the CTAP database, which actively tracks contacts electronically.
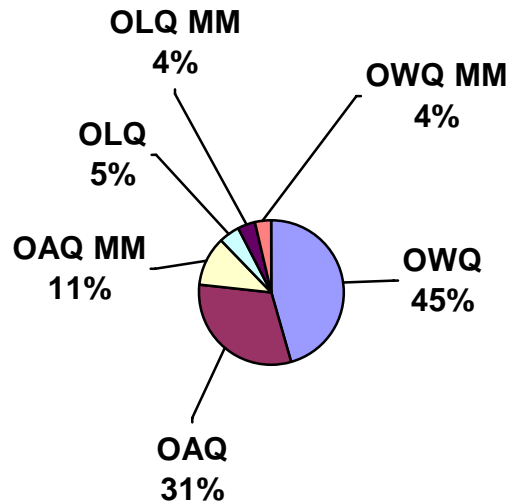
Figure 1: 10 Year History of CTAP Phone Assistance Efforts
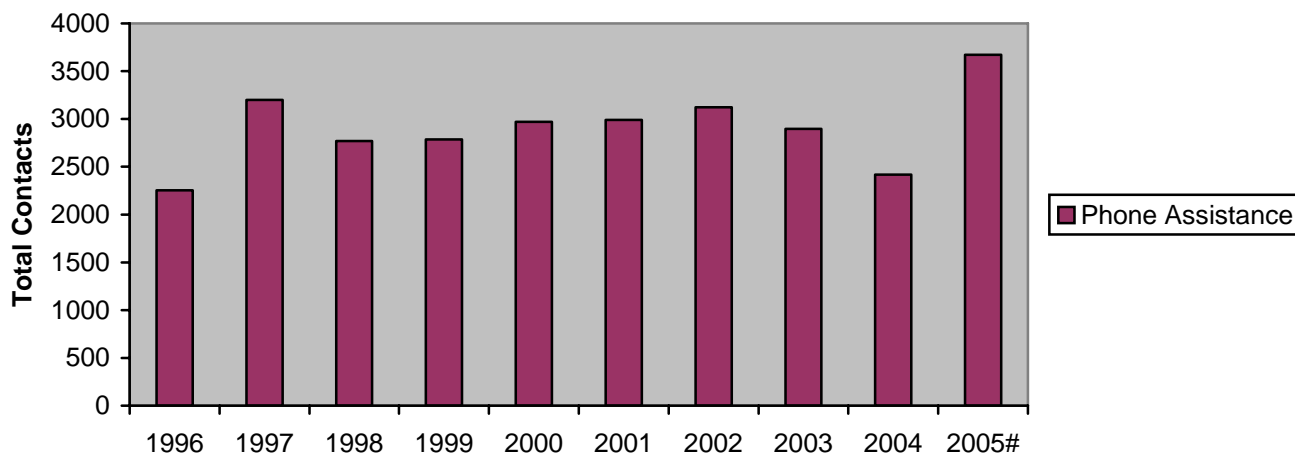
#2005 includes a fourth quarter projection (October – December) of 918 calls.

Types of IDEM Referrals:

The Office of Pollution Prevention and Technical Assistance (OPPTA), each of IDEM's media offices (air, land, and water), and the Office of Compliance and Enforcement (OCE), worked together to develop a process to promote the services of OPPTA and CTAP. IDEM inspection forms, both single media and multimedia (MM), for each of the offices now include a box for the business to check if they would like to be contacted by an OPPTA representative. The OCE also refers businesses to OPPTA if appropriate, for development of Supplemental Environmental Projects involving Pollution Prevention, which typically result in the offset of penalties.

Figure 2: 2005 Types of CTAP Referrals

Based on the data collected through September 30, 2005 *(see Figure 2 above)*, the majority (40 or 49%) of the 81 total IDEM referrals came from the Office of Water Quality (OWQ) (both single media and multimedia) with the Office of Air Quality (OAQ) account for 34 of the 81 referrals. The Office of Land Quality (OLQ) accounted for 9% of the referrals. These figures do not include referrals by the OWQ to their Operator and Technical assistance program (OATS) or reflect any assistance provided by the Circuit Rider program supported by IDEM or by the Indiana Association of Cities and Towns.

After receiving a referral, CTAP staff contact the entity to offer assistance.

Top 10 Users of CTAP Services:

CTAP provides assistance to many types of regulated entities and citizens. With CTAP's database tracking system, we can easily determine things such as which specific sectors are requesting assistance and what information is being requested. Figure 2 shows a breakdown of the top 10 users of CTAP services for the first three quarter of 2005. Consultants, "other", citizens and governmental entities (any level) led the list with 18, 17, 16 and 16 percent of total assistance efforts each, respectively. 33% of our assistance is to Indiana's industry sector. The largest served industries include miscellaneous manufacturing industries, solid waste districts, metal products fabricated, collision repair, wood finishing and agriculture accounted for 7, 7, 6, 5, 4 and 4 percent, respectively.

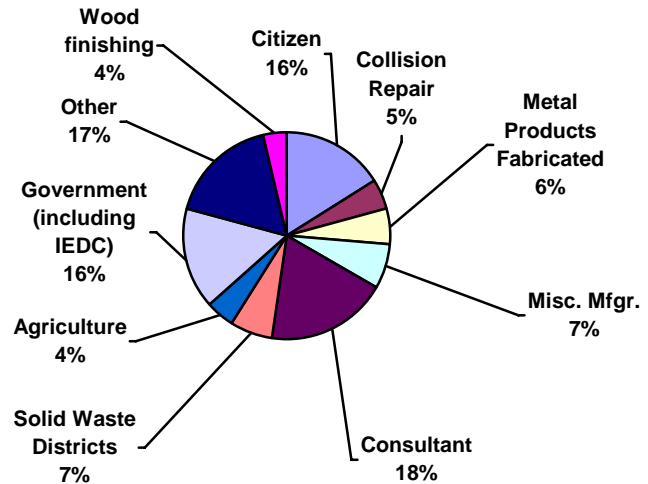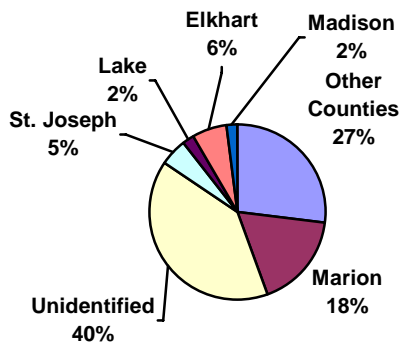**Figure 3: Top 10 Users of CTAP Services**

Figure 4: Assistance Efforts Per County

Assistance Efforts Based on County:

Figure 3 shows the top five counties in Indiana for which CTAP provided compliance and technical assistance. CTAP efforts were well distributed throughout the state as shown by the "Other County" category, which includes 86 counties and accounted for 27 percent of the total. The "Unidentified" category was the most often chosen with 40 percent, followed by "other counties" and Marion County with 18 percent. Even though CTAP provides confidential assistance, some businesses still choose to not provide CTAP with the county in which they are located or any other location information. Therefore, the data collection system allows CTAP staff to enter "Unidentified", to accommodate entities that do not wish to
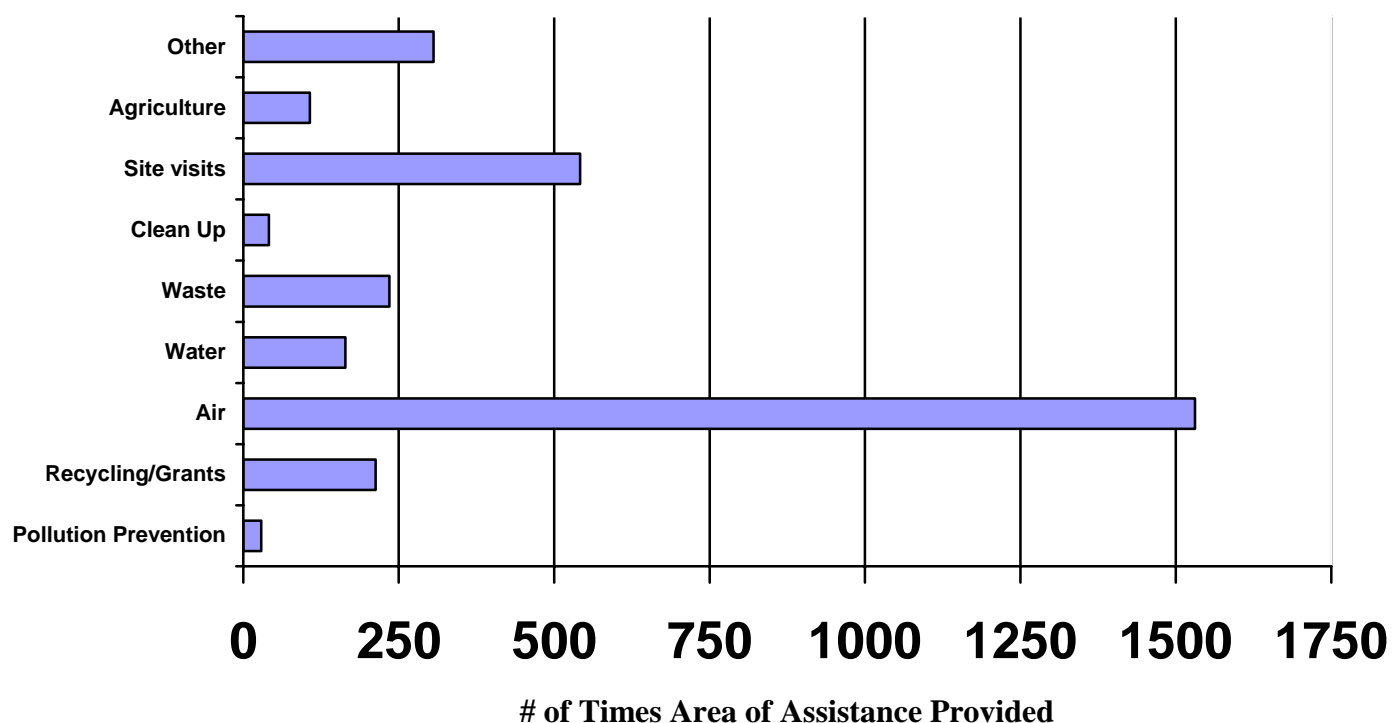

disclose their location. The remainder of the top five individual counties included Elkhart (6%); St. Joseph (5%); Lake (2%); and Madison (2%).

Figure 5: Areas of Assistance

# of Times Area of Assistance Provided

CTAP Areas of Assistance:

CTAP tracks the "Area of Assistance" through our entries into the CTAP database. Figure 5 depicts the results for 2005 through September 20, 2005. An assistance effort typically will include more than one area of focus. For example, a customer may have originally contacted CTAP for assistance in complying with hazardous waste rules; however, during the assistance effort the CTAP staff person provided the customer with pollution prevention information to reduce the amount of hazardous waste generated. Further emphasis has been given to integrating pollution prevention into our compliance and technical assistance efforts, and those additional pollution prevention efforts are not reflected in these numbers.

CTAP Site Visit Surveys:

At the beginning of 2004, CTAP began to distribute site visit surveys to representatives of Indiana businesses that were provided an on-site visit for pollution prevention and/or compliance assistance.

Although we originally developed an automated system to facilitate the collection of this information, the system is currently being changed and revamped. The system will once again be automated and generate a letter to everyone who received assistance from site visits within a few months.   The CTAP database will generate a letter that requests facilities to fill out and submit a site visit survey. In the past, the rate of return on the surveys has been fairly low. To address this issue, we plan a revised approach of obtaining the survey information either by mail/fax or over the telephone in an effort to continually improve our level of service.

The site visit survey has two sections. The first section is used for compliance assistance site visits. Information requested in this section includes: which areas of compliance were reviewed, what types of issues were identified, and finally ask the facility to identify if these were corrected and if so how and what environmental impact occurred because of their actions. In addition, we access the size of the facility we assisted, find out the importance of confidentiality to our customers and ask if they would use us again.

The second part is used for pollution prevention assistance site visits. Information requested includes: which pollution prevention activities were implemented, what capital costs were incurred, what cost savings resulted from implementation and what environmental benefits were realized. We are working with IDEM's Information Technology group to complete this addition/change to the database.